

UNITED STATES DISTRICT COURT FOR THE  
CENTRAL DISTRICT OF CALIFORNIA

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JUSTIN CODY HARPER, CASE NO.:  
5:23-cv-00695 SSS (DTBx)

Plaintiff,

vs.

CITY OF RELANDS, REDLANDS  
POLICE DEPARTMENT, POLICE  
OFFICER KOAHOU, and DOES 1  
through 10, Inclusive,

Defendants.

VIDEOTAPED DEPOSITION OF JUSTIN CODY HARPER  
VACAVILLE, CALIFORNIA  
OCTOBER 23, 2024

REPORTED BY: CARI L. GONZAGA, CSR NO. 12401  
FILE NO.: 6932631

1 A Yeah, like family houses, mom's.

2 Q At this time, do you have any idea what your  
3 release date is?

4 A I do not. It's 2026 some time.

5 Q Okay. Do you have any idea where you plan to  
6 live on release?

7 A I want to move out of state to my family.

8 Q What state?

9 A Missouri.

10 Q And who lives there?

11 A Aunt, mom, dad, grandma. They all live out  
12 there now.

13 Q The very first time you were -- scratch that  
14 or strike that.

15 When you were first incarcerated for this  
16 incident, were you at the current facility you're at  
17 right now?

18 A No.

19 Q Where were you first?

20 A I was in the hospital, and they released me,  
21 and then they rearrested me and they took me to West  
22 Valley.

23 Q Where did you go from West Valley?

24 A I stayed at West Valley.

25 Q Until when?

1 A Until they took me to prison.

2 Q Do you remember month and year for that?

3 A I do not remember the month, but the year I  
4 came to prison, it was -- let's see.

5 I have to answer this?

6 Q Yes.

7 A I think it's July 21st I came to prison. I  
8 try to not keep track of the date because I'm not going  
9 home anytime soon, it's a couple of years, so I don't  
10 even look at the day. I try to just get past it.

11 Q And that would have been in the year 2021?

12 A No, 2022.

13 Q 2022?

14 A Yes. I've been in prison a little over three  
15 years.

16 Q After you left West Valley, did you come  
17 straight to Solano, or did you go to a different prison  
18 first?

19 A I went from Wasco Reception to the main line,  
20 AR at Wasco, and then I was there -- I was good for a  
21 year, so they brought me here because they dropped  
22 points.

23 Q While you were at West Valley, were you  
24 disciplined for any reason?

25 A I've had writeups, yeah.

1 Q And what for?

2 A I have to answer them?

3 Q Yes.

4 A Batteries.

5 Q How many?

6 A I can't recall.

7 Q Was it more than two?

8 MS. TERRELL: Vague as to time on this.

9 MS. ROCAWICH: At West Valley.

10 MS. TERRELL: During what time?

11 THE WITNESS: Well, how many times because  
12 I've been to West Valley a couple of times?

13 BY MS. ROCAWICH:

14 Q After this incident, you said you went from  
15 the hospital and then were sent to West Valley.

16 A I was at the hospital, they released me from  
17 custody, rearrested me, and then they took me to West  
18 Valley.

19 Q Okay. And then while you were at West Valley,  
20 you were disciplined for battery how many times?

21 A I couldn't tell you. It was three to four.  
22 There was a couple. Batteries could be a one-on-one.  
23 It could be a fight, so...

24 Q Were you injured during any of those --

25 A And I've had a write-up for pruno.

1 Q What was that, pruno?  
2 A Pruno, yeah.  
3 Q What is that?  
4 A It's alcohol.  
5 Q Okay. Were you injured in any of those three  
6 to four battery incidents?  
7 A Yeah, just like vaguely, little scratches. If  
8 you're getting battered, you're going to have something  
9 on you.  
10 Q Okay. But anything serious like a broken  
11 bone?  
12 A No, no.  
13 Q And then after West Valley, you said you went  
14 to Wasco Reception; is that right?  
15 A Yes.  
16 Q Were you ever disciplined at Wasco?  
17 A No, I was not.  
18 Q And then from Wasco, you were sent here to  
19 Solano; is that correct?  
20 A Yes.  
21 Q Have you been disciplined here at Solano?  
22 A Yes, I have.  
23 Q How many times?  
24 A Five or six.  
25 Q And what are they for?

1 A Two of them for not going to work, one of them  
2 for not going to school, one for a phone and one for  
3 battery on an inmate.

4 That's the only ones I can recall.

5 Q Were you injured during that one battery with  
6 an inmate here?

7 A No. I wish I would have known. I would have  
8 brought all of my paperwork --

9 MS. TERRELL: There's no question pending.

10 THE WITNESS: All right.

11 BY MS. ROCAWICH:

12 Q Are you currently married?

13 A No, I'm not.

14 Q Do you have any kids?

15 A No, I do not.

16 Q And are you still dating Lia Moore?

17 A No, I'm not.

18 Q And when did you break up with Lia Moore?

19 A Honestly, it wasn't a real relationship. We  
20 were on drugs, we were young and just running around.  
21 It was never real. When you're on dope, yeah. Real  
22 relationship is when you have a house and a kid and  
23 wife.

24 Q Okay. Where did you go to high school?

25 A I didn't go to high school.

1 Q What is the last grade that you completed?

2 A I was in continuation school. I go one day a  
3 week. Eleventh. I didn't even complete it though.

4 Q So from -- where did you go to ninth and tenth  
5 grade?

6 A It was I would go one day a week. It was a  
7 school called Mojave River. I'd go for one hour, pick  
8 up a packet and then leave for a week.

9 Q And what school were you at before Mojave  
10 River?

11 A I can't recall.

12 Q Did you go to like a regular junior high or  
13 middle school?

14 A I got kicked out of school in fourth grade.

15 Q So you've been in some kind of a continuation  
16 school since fourth grade?

17 A Yes, on and off.

18 Q And I think you said you were in school here.

19 Are you trying to get your GED here?

20 A I have been on a waiting list ever since I've  
21 been here, and I've been here over a year. They had me  
22 in a DRP.

23 Q What is DRP?

24 A It's like a drug and counseling, like a drug  
25 and counseling like school. They teach you how to

1 rehabilitate me.

2 Q Were you employed on September 9th, 2021?

3 A No.

4 Q When is the last time you worked prior to the  
5 incident with Redlands?

6 A Well, I never really had a real job, but I  
7 worked with my dad here and there on weekends, sometimes  
8 during the week when I wouldn't go to school.

9 Q And what were you doing for your dad?

10 A Just construction.

11 Q Like framing or concrete --

12 A Cutting tile, baseboards, demo-ing like  
13 cabinets, just teach me little ropes.

14 Q Does he own a construction company?

15 A Not no more.

16 Q What was the name of the company you worked  
17 for?

18 A I don't know what his company's name is, but  
19 his last name is my last name, so it's Harper.

20 Q Okay. And did you get a paycheck, or were you  
21 paid under the table?

22 A I was like 13 or like 15, so he would just  
23 give me a little bit of money just teaching me how to  
24 work, so there ain't no under the table. Just showing  
25 me how to live and be a man.

1 THE WITNESS: I can't remember how many.

2 MS. TERRELL: That's fine.

3 THE WITNESS: I have a stack of paperwork like  
4 this (indicating) of charges, so I couldn't even tell  
5 you.

6 MS. ROCAWICH: Do you want a break?

7 MS. TERRELL: Yes.

8 THE VIDEOGRAPHER: The time is 11:01 a.m.  
9 We're going off the record.

10 One moment, please.

11 (Recess taken.)

12 THE VIDEOGRAPHER: We are back on the record.  
13 The time is 11:06 a.m.

14 BY MS. ROCAWICH:

15 Q We were talking about your criminal history  
16 before we went off the record.

17 Besides Solano, have you ever been  
18 incarcerated at another state prison?

19 A Yes.

20 Q Which one?

21 A Wasco and I've been to Corcoran, but that  
22 wasn't this time.

23 Q When were you in Corcoran?

24 A 2019.

25 Q What was that for?

1 A Evading.  
2 Q Is that felony evading?  
3 A Yes.  
4 Q And while you were at Corcoran, were you  
5 disciplined?  
6 A Yes.  
7 Q How many times?  
8 A Twice.  
9 Q And what was that for?  
10 A One was for a battery, and one was for a  
11 phone.  
12 Q So besides Solano, Wasco and Corcoran, have  
13 you been in any other state prisons.  
14 A They transferred me to CRC first, but I didn't  
15 stay there.  
16 Q Was that the 2019?  
17 A Yes. I left that day.  
18 Q Do you have any strikes?  
19 A Yes.  
20 Q How many?  
21 A One.  
22 Q And do you remember what year you picked up  
23 the strike?  
24 A Yes.  
25 Q What year was that?

1 A Is it the day I committed the crime or the day  
2 I signed?

3 Q Let's go with the day you signed.

4 A It was the day I signed in court for this  
5 case.

6 Q Oh, this one? Okay.

7 A Yes.

8 Q Were you on parole the day the incident with  
9 Redlands?

10 A Yes, I was on PTRS, actually.

11 Q What is that?

12 A It's like a cross between parole and  
13 probation. They're a little bit more lenient.

14 Q And was that for the felony evading that you  
15 were on?

16 A Yes.

17 Q If you know, did you have any outstanding  
18 warrants the day of the incident?

19 A I don't think I did. I think they put it out  
20 a couple of days after I got arrested for not checking  
21 in.

22 Q And you didn't check in because you were in  
23 the hospital; is that correct?

24 A I was in the hospital and then jail.

25 Q On the day of the incident with Redlands, did

1 you have any alcohol?

2 A No.

3 Q Had you taken any drugs?

4 A Earlier, the night before.

5 Q And was that methamphetamine?

6 A Yes.

7 Q And how was it taken, liked smoked?

8 A Smoked.

9 Q How much?

10 A Maybe like ten hits throughout the night.

11 Q When -- what part of the night was the last  
12 hit?

13 A Four, 4-ish.

14 Q Four p.m.?

15 A In the morning.

16 Q Oh, a.m.?

17 A Yes.

18 Q So how many hours before you were shot did you  
19 smoke your last bit of meth?

20 A Maybe like eight hours or more, probably like  
21 eight, somewhere in there, from four until like the  
22 moment I got shot, so I didn't do nothing.

23 Q And there was a glass meth pipe found with the  
24 Toyota Tundra we'll talk about a little bit later.

25 Was that your pipe?

1 A I can't recall.

2 Q And prior to being incarcerated, how often  
3 would you use methamphetamine?

4 A Once every other couple of hours, like not one  
5 hit but one session, couple hits, every other couple of  
6 hours.

7 Q For how many years had you been doing that?

8 A On and off.

9 Q On and off since what age?

10 A Eighteen.

11 Q Did you ever become aggressive when you used  
12 methamphetamine?

13 A I don't think "aggressive," maybe irritated.

14 Q Did you ever get into physical fights when you  
15 were high on meth?

16 A Yes.

17 Q About how many times did that happen?

18 A I couldn't tell you. Talking about fist  
19 fights or arguing?

20 Q Physical, so like fist fights?

21 A I couldn't tell you.

22 Q Would you say more than five?

23 MS. TERRELL: Calls for speculation.

24 You can answer.

25 THE WITNESS: Maybe like 10-15 at the most.

1 BY MS. ROCAWICH:

2 Q Would you say you were able to bear more pain  
3 when you used meth?

4 A I don't think so. I think you feel it more.

5 Q Was it a condition that that PTRS, I think you  
6 said, to not do drugs.

7 A Yes.

8 Q So the day of the incident, you knew you could  
9 get in trouble for using meth; is that true?

10 A Yes.

11 Q Did you have a driver's license at the time of  
12 the incident?

13 A I've never had a driver's license.

14 Q In all of your prior arrests, did police ever  
15 use force to get custody of you?

16 A You mean like resisting arrest or evading? I  
17 told you I got arrested for evading.

18 Q Did officers ever like, besides handcuffing,  
19 physically fight with you or injure you during any of  
20 your prior arrests?

21 A I never followed through, but they tackled me  
22 or, you know, hold you down and cuff you up. I never  
23 had assaulted an officer besides this time, and I got it  
24 dropped.

25 Q So you were charged with a 148, but it was

1 A Yes.

2 Q How many?

3 A Do you want me to count them?

4 Q If you know.

5 A I couldn't tell you.

6 MS. TERRELL: I would make an objection as to  
7 privacy as to the tattoos.

8 MS. ROCAWICH: You can answer.

9 THE WITNESS: Fourteen.

10 BY MS. ROCAWICH:

11 Q And do you have any tattoos that are related  
12 to the police in any way?

13 A No.

14 Q So no like "F the Police" or anything?

15 A No. I got --

16 MS. TERRELL: No question pending.

17 THE WITNESS: All right.

18 BY MS. ROCAWICH:

19 Q Do you have any tattoos that are related to  
20 any of your crimes?

21 A No.

22 Q On the day of the incident, you were with Lia  
23 Moore; is that correct?

24 A Yes.

25 Q And have you had any communication with her at

1       woke up, or did you meet up with her hater?

2           A     She was at the hotel.

3           Q     And did you guys have any plans for what you  
4       were going to do that day?

5           A     No.

6           Q     And early in the day on September 9th, you  
7       were driving a Toyota Tundra; is that correct?

8           A     Yes.

9           Q     Was that your car?

10          A     No.

11          Q     Whose car was it?

12          A     I do not know.

13          Q     And you were convicted of theft of that  
14       Tundra; is that correct?

15          A     Yes.

16          Q     How long had you had the Tundra prior to  
17       September 9th?

18          A     I think it was like one day.

19          Q     So did you go -- you and Lia go anywhere prior  
20       to 1:30 in that afternoon?

21          A     I can't recall.

22          Q     And at some point around 1:30, you were  
23       driving westbound on Lugonia Street in Redlands; is that  
24       correct?

25          A     Yes.

1 Q Where were you going when you were driving on  
2 Lugonia?

3 A I don't recall.

4 Q Did you know that there was a police officer  
5 behind you when you were on Lugonia?

6 A Yes.

7 Q Did you and Lia say anything to each other  
8 about the officer being behind you?

9 A Yes.

10 Q What was said?

11 A Said the cops were behind us, and I drove,  
12 tried to get away.

13 Q Did Lia know that the Tundra was stolen?

14 A No.

15 Q So you said you were trying to get away from  
16 Lugonia. You turned north on Church; is that correct?

17 A I can't tell you what street it was, but I  
18 think it was Church.

19 Q And is there any conversation, at that point,  
20 as you're driving north on Church between you and Lia?

21 A No.

22 Q Did she tell you to stop or pull over at any  
23 time?

24 A No.

25 Q And you knew that that officer was still

1 behind you; is that correct?

2 A Yes.

3 Q When you were driving north, did you run any  
4 red lights?

5 A Yes.

6 Q How about stop signs?

7 A I don't know.

8 Q Were you speeding?

9 A Yes.

10 Q Can you estimate how fast you were going?

11 A I can't.

12 Q Do you think it was over 50 miles per hour?

13 MS. TERRELL: Calls for speculation.

14 Go ahead.

15 THE WITNESS: Probably like 85, 90 at the  
16 most.

17 BY MS. ROCAWICH:

18 Q And were you driving that fast because you  
19 were trying to get away from that officer?

20 A Yes.

21 Q And then from Church, you turned right onto  
22 San Bernardino Road; is that correct?

23 A San Bernardino Avenue.

24 Q San Bernardino Avenue?

25 A Yes.

1 Q And when you made that right, you hit a  
2 vehicle on San Bernardino; is that correct?

3 A I don't know. I don't know if I hit the  
4 vehicle before that or after.

5 Q At some point, you hit a vehicle that you were  
6 convicted a hit and run with damage; is that true?

7 A Yes, I don't remember what street it was on  
8 though.

9 Q Okay. How did that happen? How did the  
10 accident happen?

11 A Because I was driving, I tried to turn.

12 Q So basically lost control of the Tundra?

13 A (Nods affirmatively.)

14 Q Do you know how fast you were going when you  
15 were turning and hit that vehicle?

16 A I don't.

17 Q After you hit the vehicle, did you have any  
18 conversation with Lia?

19 A No.

20 Q And then at some point from San Bernardino,  
21 you turned right onto a residential street, Joanne  
22 Street; is that correct?

23 A I don't know what street it was, but I turned  
24 on a side street, yes.

25 Q And was the officer still behind you?

1 A I don't think close. Maybe a little bit back  
2 there.

3 Q And why did you turn on to that side street?

4 A The car was disabled.

5 Q So because of hitting that car, the Tundra was  
6 damaged to the point where it couldn't be driven  
7 anymore?

8 A Yes, we could drive it, but it's going to be  
9 difficult.

10 Q And then you stopped the Tundra somewhere on  
11 that side street; is that correct?

12 A Yes.

13 Q Did you and Lia have any conversations at that  
14 point?

15 A Nope.

16 Q And as part of your conviction in connection  
17 with this incident, you had a felony possession of a  
18 firearm; is that correct?

19 A Yes.

20 Q Was the firearm the shotgun that was found in  
21 the Tundra?

22 A Yes.

23 Q Where did you get that shotgun?

24 A I can't recall.

25 Q Why was it in the Tundra?

1 MS. TERRELL: Assumes facts not in evidence.

2 THE WITNESS: Huh?

3 MS. TERRELL: You can answer.

4 THE WITNESS: Why was it in the Tundra?

5 MS. ROCAWICH: Yes.

6 THE WITNESS: Because I had it.

7 BY MS. ROCAWICH:

8 Q Okay, but why? Why did you need a shotgun in  
9 the car with you?

10 A Because you could sell it or make money on it.  
11 I never even fired it.

12 Q Was the shotgun stolen?

13 A I don't know.

14 Q Who did you get it from?

15 A Does that matter?

16 MS. TERRELL: If you do know.

17 THE WITNESS: It was found.

18 BY MS. ROCAWICH:

19 Q Where did you find it?

20 A In Mentone.

21 Q Was it in a house? Was it in somebody's yard?

22 A No, it was on the -- it was like right next to  
23 the sidewalk by a park.

24 Q And what happened after you stopped the  
25 Tundra?

1 A I got out and ran.

2 Q And were you running because you were trying  
3 to get away from that officer?

4 A Yes.

5 Q Did you -- Lia ran also; is that correct?

6 A Yes.

7 Q Did you run in the same direction or opposite  
8 direction?

9 A She didn't run with me.

10 Q And then from that little side-Street, you  
11 jumped some residential fences; is that correct?

12 A Yes.

13 Q At some point as you're running through the  
14 residences, do you hear an officer tell you to stop  
15 running?

16 A No.

17 Q Did you see the officer behind you as you were  
18 running?

19 A No.

20 Q And, at some point, you kept running and  
21 crossed San Bernardino; is that correct?

22 A Yes.

23 Q And ended up in cul-de-sac?

24 A Yes.

25 THE WITNESS: Excuse me. What about the truck

1 that --

2 MS. TERRELL: Wait a minute.

3 THE WITNESS: -- that part?

4 MS. TERRELL: We can take care of that later.

5 THE WITNESS: All right.

6 MS. TERRELL: Just answer the questions.

7 Okay.

8 THE WITNESS: All right.

9 MS. TERRELL: You're doing a good job.

10 THE WITNESS: Yeah, ran across San Bernadino  
11 Avenue.

12 BY MS. ROCAWICH:

13 Q And at the time that you got to that  
14 cul-de-sac, had that officer said anything to you?

15 A I don't remember no officer saying anything.  
16 There was no officer in sight. He would have been able  
17 to stop me, right?

18 Q Well, you knew there was an officer behind  
19 you, right?

20 A I thought I lost him.

21 Q Okay. So when you crossed San Bernardino, you  
22 thought that the officer was no longer behind you?

23 A No.

24 Q Okay. On that cul-de-sac, you saw a black  
25 Honda; is that correct?

1 A Yes.  
2 Q Was it on the street or in a driveway?  
3 A In a driveway.  
4 Q Was it running?  
5 A Yes.  
6 Q How did you know he it was running?  
7 A The door was open and the music was playing.  
8 Q Was that the driver door that was open?  
9 A Yes.  
10 Q And you got into the black Honda; is that  
11 correct?  
12 A Yes.  
13 Q Is the Honda the car that you were convicted  
14 of the carjacking?  
15 A Yes.  
16 Q While you were walking up to the Honda, did  
17 you see anybody else around?  
18 A I didn't see nobody until I was already in  
19 there.  
20 Q And once you got in there, how many people did  
21 you see?  
22 MS. TERRELL: Vague as to time.  
23 BY MS. ROCAWICH:  
24 Q When you first got into the Honda?  
25 A I didn't see nobody until I started reversing.

1 Q And then how many people did you see --

2 A I only see him running towards the car because  
3 I was already backing out.

4 Q Where was he running from?

5 A The garage.

6 Q As you were reversing, that guy coming out of  
7 the garage, did he try and stop you?

8 A When I was already in the car reversing?

9 Q Yes.

10 A You can't stop a car. He tried to jump on the  
11 car when it was already going.

12 Q He tried to jump on the car?

13 A Yeah, he tried to grab the car, launched at  
14 the car, so...

15 Q Was he holding onto the door handle, or was he  
16 on like the hood?

17 A I don't know what he was holding onto.

18 Q Was he yelling at you?

19 A I think once I was reversing, I think he was  
20 yelling. I would be.

21 Q Did he -- the guy that came from the garage,  
22 did he try and open the driver's side door at any point?  
23 Like was he pulling on the door handle?

24 A I think, yes.

25 Q Had you locked the doors?

1 A When I was in the street or?

2 Q When you were reversing?

3 A I think -- I don't know if they're already  
4 locked or if I locked them.

5 Q Did that guy make any physical contact with  
6 you like reaching through the window?

7 A Not until we were in the street.

8 Q What happened when you were in the street?

9 A When I was in the street, they came and one  
10 guy was banging on one side and the other guy was on the  
11 other side banging on the window, and I was pressing  
12 buttons and the doors popped open.

13 Q So the guy who came out of the garage, what  
14 side of the car was he on?

15 A He was on the passenger's side.

16 Q And the other guy you're talking about, where  
17 did he come from?

18 A I'm pretty sure he was the guy that I did the  
19 hit-and-run on.

20 Q And how did you know that, it was the guy that  
21 you did the hit-and-run on?

22 A Because they pulled up earlier when I was  
23 running, and I tried to ask him for a ride, and they  
24 jumped out at me, so I took off running, and I assumed  
25 that that was them.

1 Q Did you recognize the truck?

2 A No, not at all. I recognized the guy in the  
3 driveway though when he was trying to grab me out,  
4 uh-huh.

5 Q Okay. So you got the guy from the garage on  
6 the passenger side; the hit-and-run guy was on the  
7 driver's side; is that right?

8 A Yes.

9 Q And you knew they wanted you out of the car;  
10 is that correct?

11 A Yes.

12 Q Did the hit-and-run guy ever make physical  
13 contact with you?

14 A Yes.

15 Q And when did that happen?

16 A When he was trying to yank me out of the car.

17 Q Was that after you had accidentally unlocked  
18 the doors?

19 A Yes.

20 Q Did he punch you?

21 A I don't remember. I just remember them  
22 yanking on me. I felt like I was getting choked and  
23 tried to pull out from both sides, so I don't really  
24 know.

25 Q So the garage guy also opened the door?

1 the car?

2 A They're both yanking on me from both sides.

3 I'm getting choked. I don't even know what's going on.

4 Q Which of the two guys was choking you?

5 A The second vehicle, the truck.

6 Q Okay. While the guy was in the passenger's  
7 seat with you, was the Honda moving?

8 A No.

9 Q Do you know why that guy in the passenger's  
10 seat let go of you?

11 A The guy in the passenger's seat? The guy in  
12 the driver's seat that owned the truck had a hold of me.

13 Q The guy in the passenger's seat didn't have a  
14 hold of you?

15 A He was trying to grab me at the same time, but  
16 we were talking about the second guy in the truck  
17 choking me.

18 Q So the garage guy, at some point, let go of  
19 you; is that correct?

20 A Yes, and the cops showed up.

21 Q And then the hit-and-run guy also let go of  
22 you at some point; is that correct?

23 A On the cop's command, yes.

24 Q What did you hear the cop say?

25 A Telling everybody to get out of their vehicle.

1 Q Did the officer tell you to get out of the  
2 Honda?

3 A Everything was a blur because I was dizzy. I  
4 just remember yelling and trying to yank me out.

5 Q You don't remember him telling you to get out  
6 of the car though?

7 A I remember them yelling, ordering everybody to  
8 get out of the vehicle. Everything was just like --  
9 there was so much going on that day, and I was dizzy. I  
10 remember them screaming at everybody to get out of their  
11 vehicle. Next thing you know, I'm getting shot.

12 Q Why were you dizzy? Was that from the  
13 hit-and-run?

14 A From the chokehold, from trying to pull me out  
15 of the vehicle.

16 Q Do you remember the officer ever telling you  
17 to get face down?

18 A Face down?

19 Q Yeah, did he ever say that to you, get face  
20 down?

21 A When the car crashed and I got out and I fell,  
22 they layed me on my back. They didn't put me face down.  
23 They tied a tourniquet on my leg.

24 Q That's after the shooting, right?

25 A When they shot me, the car crashed. They

1 never put me face down.

2 Q No, I'm saying as the officer is coming up to  
3 the Honda, he tells the guys to get out, they let go of  
4 you.

5 Did the officer tell you to get face down  
6 before shooting you?

7 A Get face down. I wasn't out of the car.

8 You'd say, Get out of the car. You wouldn't say, Get  
9 face down.

10 Q Okay. Did the officer ever tell you he was  
11 going to shoot you if you didn't get out of the car?

12 A I think so.

13 Q Do you remember how many times?

14 A Maybe once or twice -- twice. He might have  
15 ordered them and me. I don't know. I remember him  
16 saying something like that, Get out, or he's going to  
17 shoot.

18 Q Prior to the shooting, you didn't get out of  
19 the car though; is that correct?

20 A No.

21 Q And that's because you were scared that you  
22 were going to get hurt if you got out of the car?

23 A Yes.

24 Q As the officer came up to the Honda, was the  
25 driver door open or closed?

1 A No, I don't think so. It wasn't.

2 Q So was the car stopped when you were tased?

3 A Yes.

4 Q And where were those other two guys that had  
5 been fighting with you when you were tased?

6 A The cop ordered them to get out of the  
7 vehicle, and I'm pretty sure they were right by the  
8 sidewalk or on the sidewalk. I wasn't looking at them,  
9 so...

10 Q And, at some point, you hit the accelerator;  
11 is that correct?

12 A Yes.

13 Q And is that while you were still being tased  
14 or immediately after?

15 A It was immediately after being tased.

16 Q How long was the taser actually shocking you?

17 A I don't know.

18 Q Would you say less than five seconds?

19 A Maybe like five, ten seconds, five seconds  
20 because I took off as soon as they shot me with the  
21 taser gun.

22 Q Where did the dart, the taser dart hit you?

23 A I don't know.

24 Q Do you remember having them removed at the  
25 hospital?

1 A No.

2 Q Did you have any marks on any part of your  
3 body besides the obvious?

4 A Well, on this side of my body, my leg was  
5 broken, my fingers were shot, so I went through two  
6 surgeries. It took a while. I didn't wake up for a  
7 while.

8 Q Okay. So besides the gunshot wounds, did you  
9 have any kind of other wounds to your body?

10 A I don't know, Miss. I was in and out --

11 MS. TERRELL: No more questions.

12 Next question.

13 BY MS. ROCAWICH:

14 Q So you said you were tased, and then you hit  
15 the accelerator; is that correct?

16 A Yes.

17 Q And then you were shot after hitting the  
18 accelerator; is that correct?

19 A Yes.

20 Q Did the car move forward when you hit the  
21 accelerator?

22 A Yes.

23 Q And where was the cop when that happened?

24 A On the side of the vehicle.

25 Q Was he still touching you?

1 MS. TERRELL: Let her ask the questions. Just  
2 answer the questions.

3 BY MS. ROCAWICH:

4 Q Were you still pressing the accelerator after  
5 being shot?

6 A After being shot?

7 Q Yes.

8 A They tased me and I pressed the gas, so  
9 however long it went for. The airbags hit me, and I  
10 don't remember.

11 Q I'm just trying to get the sequence.

12 So they tased you for a period of seconds,  
13 correct?

14 A Yes.

15 Q And then you hit the accelerator and the car  
16 started to move forward?

17 A Yes.

18 Q And then the officer shot you, correct?

19 A Yes.

20 Q And then did you still continue to press the  
21 accelerator after you were shot?

22 A Yes.

23 Q Why?

24 A I don't know. I --

25 MS. TERRELL: You answered.

1 BY MS. ROCAWICH:

2 Q Were you trying to get away from the officer?

3 A Yeah and no.

4 Q Okay. Why yes and why no?

5 A Because when they tased me, there's only like  
6 a little bit of a block left, I don't even remember, and  
7 then it crashes, hit the curb, and the airbag goes off,  
8 boom, and then I'm just rolling down the street.

9 Q So the airbag went off when you hit the end of  
10 the cul-de-sac; is that correct?

11 A Yes.

12 Q Do you have any idea how fast you were going  
13 when you hit the curb?

14 A No, I do not.

15 Q And the car came to a stop on San Bernardino;  
16 is that correct?

17 A Yes.

18 Q Did you get out of the car on your own, or did  
19 an officer pull you out?

20 A I think I got out on my own.

21 Q Did you fight with the officers when you got  
22 out of the car?

23 A What do you mean like attacked them or?

24 Q Did you touch any officer when you got out of  
25 the car?

1 A No.

2 Q Were you saying anything to the officers when  
3 you were out of the car?

4 A Yes.

5 Q What were you saying?

6 A I told them that they're assholes for shooting  
7 me, and the floor was hot and they kept trying to lay me  
8 on my back.

9 Q At some point you were handcuffed; is that  
10 correct?

11 A I don't remember being handcuffed. They tied  
12 a tourniquet around my leg, and then I went down and  
13 they put me in an ambulance.

14 Q So you don't remember being handcuffed at all  
15 prior to getting in the ambulance?

16 A No.

17 Q Was the officer that put the tourniquet on you  
18 the same officer that shot you?

19 A I don't know if it was an officer or a  
20 paramedic or...

21 Q And then so was the tourniquet put on you -- I  
22 thought you said the tourniquet was put on you before  
23 the paramedics arrived; is that correct?

24 A Yes, but I'm not sure who put it on though.

25 Q Other than the tourniquet, were they giving

1 A I don't know. As soon as I got out of the car  
2 and fell on the floor. I remember them tying a  
3 tourniquet on my leg. I'm going in and out.

4 Q Okay. And then you were transported to the  
5 hospital; is that correct?

6 A Yes.

7 Q Do you remember what hospital?

8 A Yes, Loma Linda.

9 Q Did an officer ride in the ambulance with you?

10 A I don't know.

11 Q Prior to this incident, had you ever been  
12 hospitalized before?

13 A Yes.

14 Q How many times?

15 A Probably a lot of times.

16 Q More than five?

17 A Probably 15, 20.

18 Q And what were those hospitalizations for?

19 A Asthma, cutting my head open, stitches.

20 Q The leg that you got shot in, had you ever  
21 injured that leg prior to being shot?

22 A No.

23 Q Any of those, roughly, 15 times you were in  
24 the hospital, were any of those because of a police  
25 encounter?

1 REPORTER'S CERTIFICATE  
2

3 I, CARI L. GONZAGA, CSR No. 12401, Certified  
4 Shorthand Reporter, certify:

5 That the foregoing proceedings were taken  
6 before me at the time and place therein set forth, at  
7 which time the witness was put under oath by me;

8 That the testimony of the witness, the  
9 questions propounded, and all objections and statements  
10 made at the time of the examination were recorded  
11 stenographically by me and were thereafter transcribed;

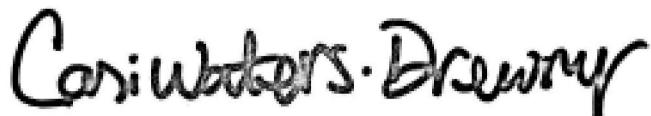
12 That the foregoing is a true and correct  
13 transcript of my shorthand notes so taken.

14 I further certify that I am not a relative or  
15 employee of any attorney of the parties, nor financially  
16 interested in the action.

17 I declare under penalty of perjury under the  
18 laws of California that the foregoing is true and  
19 correct.

20  
21 Reading and signing was requested.

22 Dated this 27th day of November, 2024.  
23



24 CARI L. GONZAGA, CSR NO. 12401  
25